

FINAL DETERMINATION

DATE ISSUED AND MAILED: March 27, 2024

IN RE: *John Weiser v. Adams County Constable Association*; OOR Dkt. AP 2024-0830

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The OOR lacks jurisdiction. The OOR has jurisdiction over Commonwealth and Local agencies. *See* 65 P.S. § 67.503(a). The Adams County Constable Association (“Association”) is not an “Agency” as defined by the Right-to-Know Law (“RTKL”). 65 P.S. § 67.102 (defining “Agency”). Instead, the Association is registered with the Pennsylvania Department of State as a domestic nonprofit corporation. *See* <https://file.dos.pa.gov/search/business>.

For this reason, the Association is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review to a court with competent jurisdiction. 65 P.S. §§ 67.1301(a), 1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303. However, as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.¹ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

SENIOR DEPUTY CHIEF COUNSEL
JOSHUA T. YOUNG, ESQ.

Sent to: John Weiser; J. Ryan Metcalf, Adams County Constable Association

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).